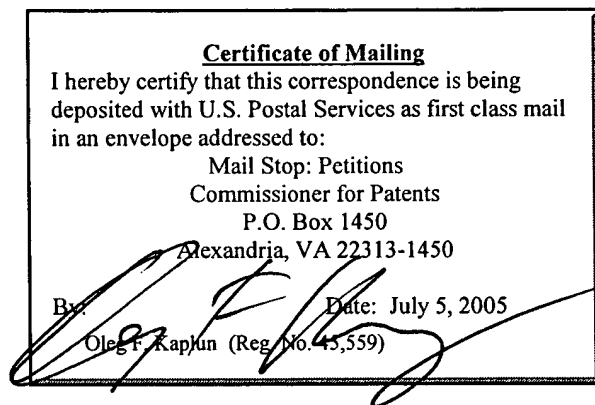


[10121/00308-00-0044CON2]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : McAlister et al.  
Serial No. : 10/764,619  
Filing Date : January 26, 2004  
For : Stapling and Cutting in Resectioning for Full Thickness  
Resection Devices  
Group Art Unit : 3731  
Examiner : Gary Jackson

Mail Stop: Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

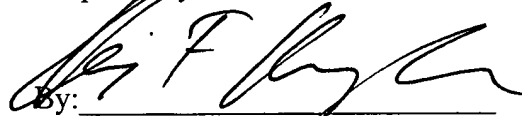


**TRANSMITTAL**

Transmitted herewith please find a Petition to Withdraw Holding of Abandoned Patent Application, a Response to a Non-Final Office Action mailed on November 3, 2004, Terminal Disclaimer, a Statement under 37 CFR 3.73, Form PTO-1449, and a Change of Correspondence Address. The Commissioner is authorized to charge the Deposit Account of **Fay Kaplun & Marcin, LLP No. 50-1492** in the amount of \$130.00 and any additional fees. A copy of Transmittal is included for that purpose.

Dated: July 5, 2005

Respectfully submitted,

By:   
Oleg F. Kaplun (Reg. 45,559)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
Tel: (212) 619-6000  
Fax: (212) 619-0276/212-208-6819